

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- November 16, 1966

Appeal No. 9033      Elvans Manor Assoc., appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. Samuel Scrivener, Jr. not voting the following Order was entered at the meeting of the Board on November 29, 1966.

EFFECTIVE DATE OF ORDER - Oct. 13, 1967

ORDERED:

That the appeal for permission to erect groups of apartment buildings with division walls from ground up to be deemed single buildings and for a variance from the requirements of Section 3307.2, side yard, rear yard, lot occupancy and FAR (not to exceed 1.04) in the R-5-A District, to permit location of parking spaces anywhere on the lot upon which the buildings are located, for apartment development at Suitland Parkway, Pomeroy Road and Elvans Road, SE., lots 840-845, 911-915, 873, 848, 849, 892, 853 and parts of lots 874, 850, 851, 885, square 5873, and lot 937 in square 5874 and portions of Elvans Road proposed to be closed by D.C. Commissioners effective November 14, 1966, be granted.

From the records and evidence adduced at the public hearing, the Board finds the following facts:

(1) All of the subject property is located in the R-5-A District.

(2) The subject property suffers from topographical conditions as shown on Exhibit No. 10. The grades of this property range from 23% to 34.3%. Additionally, the property is adversely affected by configuration of the existence of an overland drainage easement and underground storm water and sanitary sewers. Also submitted was a chart relating the site cost of the number of units, number of rooms and gross income. Exhibit No. 19.

(3) The development of the subject site must be accomplished by reason of the adverse conditions, at varying levels to meet the existing grades at the property lines. This results in significant loss of usable area.

(4) The configuration of the site together with the other adverse conditions cause a hardship with respect of the location of parking, and the requirements of additional footings and foundations with the substantial grading and removal of earth.

(5) The existing apartment development in the general area is principally garden type apartment construction of good quality similar to that proposed. The proposed project will meet a market demand for 2 and 3 bedroom units.

(6) The proposed project will include 4 apartment buildings with a total of 18 one bedroom units, 118 two bedroom units, 93 three bedroom units and 8 four bedroom units or a total of 236 units, under a FAR of 1.04. These apartment units are shown on Exhibit No. 19.

(7) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

The Board is of the opinion that the applicants have proved a hardship within the meaning of the variance clause of the Zoning Regulations by reason of the adverse topographical conditions of the site, the configuration and existence of drainage easement and underground sewer and drainage facilities. The requested relief should be granted to relieve this hardship.

The Board is further of the opinion that this variance may be granted without substantial detriment to the public good and without impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.